FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.422 OF 1994

Ramkanta Dattoba Wagh .....Petitioner.

V/s

Gopalrao Balhind Takbhate
Since deceased by his Legal
Heirs:-
1a. Raja Gopalrao Takbhate
and Ors. .....Respondents.

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrars orders.	Court's or Judge's orders.

Mr. Madhav Jamdar for the Petitioner.

CORAM: V.M. KANADE, J.

DATE : 7th March, 2007

P.C.:

1. Heard the learned Counsel appearing on behalf of the Petitioner. None appears on behalf

of the Respondents, though they are served.

2. The Petitioner challenges the order passed by the Trial Court whereby his application for amendment of the plaint for bringing the subsequent events on record has been rejected.

3. I have perused the application. By the said application, the Petitioner seeks to bring on record certain subsequent developments. The Petitioner is a landlord and he has filed a suit for eviction of the tenants on the ground of bonafide requirement. By the said amendment, he seeks to bring on record subsequent events of acquisition of alternative accommodation by the tenants. The Trial Court has, without giving any reasons, rejected the said application. In my view, the amendment application ought to have been allowed by the Trial Court.

4. The impugned order is set aside and the application for amendment of the plaint of the Petitioner at Exhibit-31 is allowed. Rule is made absolute in terms of prayer clause (b). The Trial Court is directed to decide the suit as expeditiously as possible and, in any case, within a period of six months.

5. Writ Petition is accordingly disposed of.

(V. M. KANADE, J.)